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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,890	09/07/2004	Tsutomu Matsubara	1163-0515PUS1	6698
2292 7590 11/05/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER VO, HUYEN X	
			ART UNIT 2626	PAPER NUMBER
			NOTIFICATION DATE 11/05/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

# Office Action Summary

Application No.

10/506,890

Applicant(s)

MATSUBARA ET AL.

Examiner

Huyen X. Vo

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 9-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 9-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Takehiko (Patent Abstracts of Japan, from IDS).

3. Regarding claim 9, Takehiko discloses a vehicle mounted control apparatus comprising:

voice recognition section for recognizing a voice command input by a voice input device (*see English abstract*); and

a control section that analyzes a cause of incapability of recognition of the voice command when the voice command cannot be recognized by the voice recognition section and gives a notice on result of the analysis (*see English abstract, the reliability level of the voice recognition result inherently indicates whether the input voice command is recognized or not recognized, and character screen data corresponding to the reliability level is displayed*).

4. Regarding claim 11, Takehiko further discloses a vehicle mounted control apparatus comprising:

voice recognition section for recognizing a voice command that as user inputs by a voice input device (see *English abstract*); and

a control section that analyzes a cause of incapability of recognition of the voice command when the voice command cannot be recognized by the voice recognition section (see *English abstract, the reliability level of the voice recognition result inherently indicates whether the input voice command is recognized or not recognized, and character screen data corresponding to the reliability level is displayed*).

a storage section that previously stores a display format corresponding to a result of the analysis (*storage means 7*), wherein the control section reads the display format corresponding to the result of analysis from the storage section and changes a display format of a screen of display device on the basis of the read display format (see *English abstract, character screen data corresponding to the reliability level is displayed*).

5. Regarding claim 16, Takehiko discloses a vehicle mounted control apparatus comprising:

voice recognition section for recognizing a voice command input by a voice input device (see *English abstract*); and

a control section that analyzes a cause of incapability of recognition of the voice command when the voice command cannot be recognized by the voice recognition section and give a notice on result of the analysis, wherein the control section provides with a sample of the voice command to be input (see *English abstract, character screen data corresponding to the reliability level is displayed*).

6. Regarding claims 12-13 and 17, Takehiko further discloses the vehicle mounted control apparatus as claimed in claims 9-10 and 16, respectively, wherein the display format is a display format of an icon displayed on the screen (*see English abstract, character screen data or the appearance of the face*).

7. Regarding claims 14-15, Takehiko further discloses the vehicle mounted control apparatus as claimed in claims 12 and 13, respectively, wherein the display format of the icon is a color of the icon displayed on the screen (*see English abstract, character screen data or the appearance of the face would include color*).

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

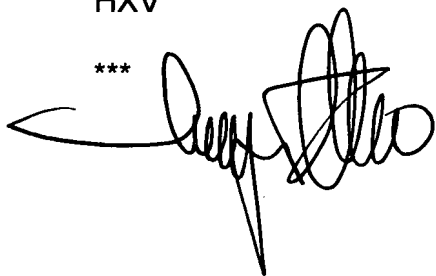
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HXV

6/9/2007

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A handwritten signature in black ink, appearing to be "J. S. [unclear]", with a long horizontal line extending to the left.